

September 26, 2012

Ms. Marlene H. Dortch Secretary Federal Communications Commission 445 12th Street, SW Washington, DC 20554 Austin, TX 5929 Balcones Drive, Suite 200 Austin, TX 78731-4280 Phone: 512.343.2544 Fax: 512.343.0119

RE:

Filing of Livingston Telephone Company in Compliance with Order Designating Issues for Investigation, In the Matter of Investigation of Certain 2012 Annual Access Tariffs, WC Docket No. 12-233, WCB/Pricing No. 12-09

REQUEST FOR CONFIDENTIAL TREATMENT

Dear Ms. Dortch:

Enclosed for filing in the above-referenced dockets is the Compliance Filing of Livingston Telephone Company (Livingston).

Pursuant to the Protective Order in this proceeding, Livingston requests confidential treatment of parts of its information and its schedules that contain confidential and proprietary information related to Livingston's finances, including subscriber information, revenues by service type and other sensitive financial data. This information is entitled to confidential, non-public treatment under the Freedom of Information Act, the related provisions of the Commission's rules and the Protective Order in this proceeding.

Livingston has marked each page of the non-redacted version of this filing with the legend "CONFIDENTIAL INFORMATION – SUBJECT TO PROTECTIVE ORDER IN WC DOCKET NO. 12.233, WCB/PRICING NO. 12-09 BEFORE THE FEDERAL COMMUNICATIONS COMMISSION." Livingston has filed redacted versions of each Stamped Confidential Document in the Commission's Electronic Comment Filing System (ECFS) and has emailed the unredacted schedules to Ms. Robin Cohn, Pricing Policy Division, Wireline Competition Bureau.

Thank you for your attention to this matter.

Gail Odell

Sincerely.

Authorized Representative Livingston Telephone Company

GO/pjf

Enclosures



Livingston Telephone Company Description and Justification September 27, 2012

I. Interstate Switched Access Service

Issue A. Calculation of Base Period Revenue

In accordance with §51.917(c), Livingston calculated its Interstate Base Period Revenue based upon its 2011 Interstate Switched Access Revenue Requirement of \$\frac{1}{2}\text{contained}\text{ in its July 1, 2011 interstate access tariff filing with the FCC. Included in this amount is \$\frac{1}{2}\text{contained}\text{ of Local Switching Support (LSS).}

Issue C. Interstate Switched Access Demand

For Test Year (TY) 2012-13, forecasted interstate switched access demand was calculated using an annualized demand loss factor of 15% applied to the FY2011 demand units.

II. Transitional Intrastate Switched Access Service

Issue A. Calculation of Base Period Revenue

1. Jurisdiction and Directionality

Livingston's Carrier Access Billing System (CABS) assigns each Access Usage Record (AUR) to the interstate or intrastate jurisdiction utilizing the "From" and "To" number field in the AUR. For terminating AURs without a "From" number, this access usage is allocated to the interstate and intrastate jurisdictions based on the interexchange carrier's provided Percent Interstate Usage (PIU) factor. Livingston's CABS assigns each AUR as either originating or terminating based on the directionality field in the AUR.

For Fiscal Year (FY) 2011, terminating intrastate usage was accumulated for the billing cycle and then billed at the following intrastate switched access rate elements:

Terminating Carrier Common Line, including Orig. 800 minutes billed at the Term. CCL rate

Terminating Local Switching

Terminating Information Surcharge

Terminating Local Transport Facility

Terminating Local Transport Termination

The FY2011 terminating intrastate base period data included only the demand and revenue generated by the rate elements listed above. There were no intrastate switched access non-recurring charges billed during the FY2011 billing period. No late payment fees or other non-service related charges were included in the FY2011 billing period data.

2. FY2011 (October 1, 2010 to September 30, 2011) Usage Period

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Livingston's monthly CABS processing bills switched access usage in arrears in one billing cycle during each month. There is approximately a 4 day lag for the usage period in each billing cycle. For example, the November 1, 2010 CABS bills included usage for September 27, 2010 to October 26, 2010. Livingston extracted all switched access usage billed from November 1, 2010 through October 1, 2011 to insure that a full 12 months of usage data was reported for the FY2011 billing period with usage dates of September 27, 2010 through September 26, 2011. Livingston did not bill or include any out-of-period billing adjustments during this 12 month FY2011 billing period. The total transitional intrastate demand and revenue for the September 27, 2010 through September 26, 2011 usage period was minutes and minutes and minutes.

Per the FCC's request, Livingston undertook the following billing cycle adjustments to revise the original annual usage period to match the exact usage dates of October 1, 2010 through September 30, 2011. First, Livingston extracted and identified the CABS demand and revenue associated with the September 27, 2010 through September 30, 2010 usage period as minutes and in revenue. This data was deducted from the annual total to adjust out the FY2010 usage period.

Next, using data from the November 1, 2011 CABS bills, Livingston extracted and identified the CABS demand and revenue associated with the September 27, 2011 through September 30, 2011 usage period as minutes and in revenue. This data was added to the annual total to complete the FY2011 usage period.

Consequently, the billing cycle adjustments decreased the total FY2011 October 1, 2010 through September 30, 2011 usage period data to minutes and in revenue. The billing cycle adjustments represent a net decrease in billed revenue of or a .36% decrease over the original 12 month billing cycle total.

3. March 31, 2012 Cutoff / Uncollected Revenue

Livingston reviewed its CABS Accounts Receivable reports as of April 1, 2012 and determined that it had in uncollected revenues for terminating intrastate switched access charges billed during the FY2011 billing period. The in uncollected revenue was deducted from billed revenue to arrive at FY 2011 actual intrastate revenue received.

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Issue B. Intrastate Rate Reductions

In accordance with §51.909(b), Livingston reduced its transitional intrastate switched access rates by 50% of the differential between the FY2011 terminating intrastate demand priced at 12-29-11 intrastate switched access rates compared to the FY2011 terminating intrastate demand priced at 12-29-11 interstate switched access rates. Utilizing the option in §51.909(b)(2)(v), Livingston elected to adopt the interstate rate structure and 12-29-11 interstate rate levels and include the transitional per-minute charge assessed on terminating intrastate end office switching minutes between July 3, 2012 and July 1, 2013. This revenue reduction and rate restructure was reflected in its revised intrastate switched access tariff which was approved by the Texas Public Utility Commission effective July 3, 2012.

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These calculations were performed at the rate element level and no composite rates were used. Since no intrastate switched access non-recurring charges were billed in the FY2011 billing period, no non-recurring revenues or demand were included in the calculations.

Since Livingston's intrastate switched access tariff included non-LTR transport rate elements and its interstate switched access tariff included LTR transport rate elements, the actual FY2011 non-LTR demand units had to be converted to theoretical LTR demand units based on the relationship of the interstate end office demand units compared to the LTR demand units as of the December 2011 billing month.

Utilizing the FY2011 terminating intrastate data, adjusted for the FCC's required billing cycle adjustment, the revised FY2011 data generates an increase in the terminating intrastate FCC Transitional Charge from the initial rate of \$0.020778 to a corrected rate of \$0.020780. Livingston will file the corrected rate with the TxPUC as soon as possible.

Issue C. Intrastate Switched Access Demand

For Test Year (TY) 2012-13, forecasted terminating intrastate switched access demand was calculated using an annualized demand loss factor of 15% applied to the FY2011 demand units. Subsequently, the forecasted terminating intrastate switched access demand was allocated as 90% non-VoIP traffic to be rated at intrastate rate levels and 10% VoIP traffic to be rated at interstate rate levels. The terminating intrastate VoIP minutes are reflected as a 10% reduction to the forecasted terminating intrastate switched access demand applicable to the FCC Transitional Charge rate element, since terminating intrastate VoIP minutes would not be billed this rate element. All other intrastate per-minute switched access rate elements would be applicable to the VoIP minutes since the revised terminating intrastate rate levels are equal to Livingston's interstate rate levels.

III. Reciprocal Compensation

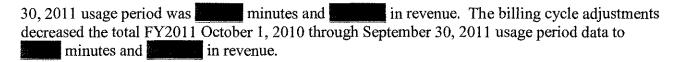
Issue A. Calculation of Base Period Revenue

In accordance with §51.917(c), Livingston's FY2011 Reciprocal Compensation revenue includes only those revenues received by March 31, 2012 for terminating intraMTA usage from CMRS providers between October 1, 2010 and September 30, 2011. These revenues for intraMTA usage were based upon the following single reciprocal compensation rate element:

Local Transport and Termination

Livingston bills terminating intraMTA usage in the same manner as described above in Intrastate Issue A item 2. The total terminating intraMTA demand and revenue for the September 24, 2010 through September 23, 2011 usage period was minutes and in revenue. The deduction for the September 24, 2010 through September 30, 2010 usage period was minutes and in revenue. The addition for the September 24, 2011 through September

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During FY2011, since all invoices to Halo Wireless remained unpaid as of March 31, 2012, Livingston's reported FY2011 data does not include any revenue or billed minutes for Halo Wireless.

Since all of Livingston's Wireless Interconnection Agreements included a "Change in Law" provision, the exchange of all intraMTA traffic with CMRS providers moved to Bill and Keep effective July 1, 2012.

Livingston does not have any Interconnection Agreements with non-CMRS providers; and, therefore, does not have any non-CMRS data to report for FY2011 or TY 2012-13.

IV. Access Recovery Charge (ARC)

Issue E. Calculation of ARC Rates

Since Livingston's Total TY 2012-13 Eligible Recovery amount, as adjusted in this filing, exceeds the amount of projected ARC revenues, based on its ARC rates as originally filed, Livingston believes that its proposed ARC rates are just and reasonable and no refund obligation exists.

Table 1: - Access Recovery Charge (ARC)	ARC Rates as Filed Effective 7/3/2012	ARC Rates Supported by Direct Case
Residence – Individual Line	\$0.50	\$0.50
Business - Single Line	\$0.50	\$0.50
Business – Multiline	\$1.00	\$1.00

Certification of Officer as to the Accuracy of the CAF ICC Data Reported certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the actual data reported; and, to the best of my knowledge, the information reported on this form is accurate. Name of Reporting Carrier LIVINGSTON TELEPHONE **COMPANY** Date 9/26/2012 Signature of Authorized Officer Printed name of Authorized Officer CURTIS G. WALZEY Title or position of Authorized Officer PRESIDENT Telephone number of Authorized Officer: (936) 327-4309 ext. Filing Due Date for this form Livingston 9/27/2012 Study Area Code of Reporting Carrier (mm/dd/yyyy) Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

TO BE COMPLETED BY AN OFFICER OF THE REPORTING CARRIER

Certification of Officer for Rate-of-Return Carrier Eligibility for CAF/ICC Recovery I certify that I am an officer of the reporting carrier and that, to the best of my knowledge, the reporting carrier on this form certifies that it has complied with Eligible Recovery §51.917(d) and Access Recovery Charge §51.917(e) and is eligible to receive the CAF ICC support requested pursuant to §51.917(f). Name of Reporting Carrier LIVINGSTON TELEPHONE COMPANY Signature of authorized officer Printed name of authorized officer PRESIDENT Telephone number of authorized officer: (936) 327-4309 Study Area Code of Reporting Carrier Livingston Filling Due Date for this form (mm/ddyyyy) Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

TO BE COMPLETED BY AN OFFICER OF THE REPORTING CARRIER

Certification of Officer for Rate-of-Return Carrier Not Seeking Duplicative Recovery

I certify that I am an officer of the reporting carrier and that, to the best of my knowledge, this reporting carrier is not seeking duplicative recovery in the state jurisdiction for any Eligible Recovery subject to the recovery mechanism as per 51.917(d)(vii).

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Filing Date (enter w/leading '): Holding Company: Transmittal Number

9/27/2012 Livingston Telephone Company

Study Area **EXCHANGES**

442104 Livingston

ARC-CAF-1 Rate Ceiling Component Charges Calculation (\$1.915(b)(11)) RESIDENCE / NP / BRI / SLB (excluding Lifeline) MULTI-LINE BUSINESS Res / NP / BRI Mandatory Total Rate Ceiling Tariff Period Federal
Comp. Chest Projected Lines SLC-MLB Tariff Period **Tariff Period** Stand-alone Mandatory Zone State Federal State <u>EAS</u> SLC N/A Projected Lines Projected Lines R1 rate E911 TRS <u>USF</u> SLC Charges \$8.98 N/A \$1.82 \$0.56 N/A \$0.464 \$6.50 518.32 9.20

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RESIDENCE / NP / BRI (excluding Lifeline) MULTI-LINE BUSINESS MAX Curr Yr MAX Curr Yr Res/NP/BRI MAX Curr Yr MAX Curr Yr ARC Rev ARC Rate ARC Rev ARC Rate 0.50

Filing Date (enter w/leading '):

Max ARC for current year: MLB

9/27/2012

Holding Company:

Livingston Telephone Company

Transmittal Number

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Maximum MLB SLC+ARC: (51.915(e)(5)(iv))	\$ 12.20
Max ARC for current year: Res/SLB	\$ 0.50

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ARC-CAF-3

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Holding Company:

Livingston Telephone Company

Transmittal Number

Residential Rate Ceiling: (51.915(b)(12))	\$ 30.00
Maximum MLB SLC+ARC (51.915(e)(5)(iv))	\$ 12.20
Max ARC for current year: Res/SLB	\$ 0.50
Max ARC for current year: MLB	\$ 1.00

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Holding Company: Transmittal Number Livingston Telephone Company

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FOOTNOTES:

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51		17.2.1		**Nonrecurring Charges**				1	$\frac{1}{1}$		-		-	ł				-	
52 17 2	1 / NA	17.2.1(A)		on, per Entrance Facility		\$78.05		0.00	0	0	0		0 (0		0		0 (0
54 NA/	17.2.1(A)	17.2.1(A)		- Voice Grade Tour Wire	acility		\$450.00	0.00	0	0 0	00		5 6	0 0		5 6		D Q	5 0
SS NA/	17.2.1(A)	17.2.1(A)			acility		\$330.00	0.00	ō	0	Q.		0	0		6		0	0
57 NA /	17.2.1(8)	17.2.1(A)			Facility Order		\$220.00	0000	5 0	8 8	00		60	000	+	<u> </u>		0	5 0
58 NA /	17.2.1(C)	17.2.1(D)			rder		\$442.00	00'0	0	0	0		a	o		0		o	0
59 NA /	NA / 17.2.1(E)	17.2.1(G)		Frunk Activation	nd Office		\$0.00	00.00	9 0	0 0	00		00	0		5 0		00	9 6
61 62	1								ē	0	C			P		ō		0	0
63	-																		
88 88	i																		
67 Note	e 1: Enter one	e rate elemen	ent per line un	67 Note 1. Enter one rate element per line under the relevant category. Insert rows as necessary.	***************************************											1-			

Fine Date		A	В	С	D	E	F I	G	н		j	К	L	М	N	0
Transport Tran	1	Filing Date:	9/27/2012		····					<u> </u>			_			·
Transport Tran	2	Filing Entity:	Livingston Teleph	one Company		REDACTED - I	FOR PUBLIC IN:	SPECTION								
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FY 2011 Revenue Reve	!			1	ļ	FY 2011	FY 2011	FY 2011				Į i	TY 2012-2013		95% of FY	
15			FY 2011			Terminating	Terminating	Average		FY 2011			Expected			
16 End Office Switching		Revenue Category (Note 1)	Revenue	FY 2011 MOU	T	Revenue	MOU		Average Rate		Difference		Demand			
Tandem Switching			Input	Input		Input	Input						Input			
18 Common Transport									0.00000					0	•	
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Total		• •		Sattle and or patient or sea.		and the second section of the s	Singa kalangan sanggan			THE RESERVE OF THE PERSON NAMED IN				0	0	0
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23 TY 2012-2013 Reciprocal Compensation Eligible Recovery Expense Calculations TY 2012-2013 Reciprocal Compensation Eligible Recovery Expense Calculations TY 2012-2013 Rec. Comp. TY 2012-2013 Rec. Comp. TY 2012-2013 Rec. Comp. TY 2012-2013 Rec. Comp. Expense Category Expense Category FY 2011 MOU Average Rate Difference Rate MOU Expense Expense Expense Expense Expense Input Input B/C K20 D*(1-E) Input F*G 9.95*B I-H TY 2012-2013 Rec. Comp. TY 2012-2013 Rec. Comp. TY 2012-2013 Rec. Comp. Expense E	20	Total		L.,						<u> </u>		0.0078		0		
23 TY 2012-2013 Reciprocal Compensation Eligible Recovery Expense Calculations TY 2012-2013 Reciprocal Compensation Eligible Recovery Expense Calculations TY 2012-2013 Rec. Comp. TY 2012-2013 Rec. Comp. TY 2012-2013 Rec. Comp. TY 2012-2013 Rec. Comp. Expense Category Expense Category FY 2011 MOU Average Rate Difference Rate MOU Expense Expense Expense Expense Expense Input Input B/C K20 D*(1-E) Input F*G 9.95*B I-H TY 2012-2013 Rec. Comp. TY 2012-2013 Rec. Comp. TY 2012-2013 Rec. Comp. Expense E	22															
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24 Expense Category Expense FY 2011 MOU Average Rate Difference Rate MOU Expense Expense Expense 25 Input Input B/C K20 D*(1-E) Input F*G .95*B I-H 26 Total Expense 0.013764 0.00% 0.013764 0 0 0 27			FY 2011		FY 2011	% Revenue					_					
26 Total Expense 0.013764 0.00% 0.013764 0 0	24	Expense Category	Expense	FY 2011 MOU						3						
27			Input	Input			D*(1-E)	Input	F*G	.95*B	144	1				
271 781	26	Total Expense		A. A. A. S.	0.013764	0.00%	0.013764	0	0							
	27 28															
29 Note 1: Use rows 16, 17, and 18 for traffic carried pursuant to reciprocal compensation agreements that specify separate rates for end office switching, tandem switching, and common transport.	29	Note 1: Use rows 16, 17, and 18 for traffic o	arried pursuant to	reciprocal com	pensation agree	ments that speci	fy senarate rate	s for end offic	e switching tand	em switching	i. and commo	n transport				
30 Use row 19 for traffic carried pursuant to reciprocal compensation agreements that specify only a single transport and termination rate.	30	Use row 19 for traffic carried pursuant to reci	iprocal compensa	tion agreements	that specify onl	y a single transp	ort and termina	tion rate.	o omorang, cana		, 4,14 50111110					

Filing Date (enter w/leading '): Holding Company: Transmittal Number:

9/27/2012 Livingston Telephone Company

REDACTED - FOR PUBLIC INSPECTION

\$0.56 N/A

\$0.464

ARCRCTRP-CAF-1

Study Area

EXCHANGES

442104 Livingston

Rate Ceiling Component Charges Calculation (51.915(b)(11)) RESIDENCE / NP / BRI / SLB (excluding Lifeline) Res / NP / BRI SLB Mandatory Total Rate Tariff Period Tariff Period Stand-alone Mandatory Zone State State Federal Ceiling Comp. Chgs Projected Lines Projected Lines <u>TRS</u> USF <u>SLC</u> R1 rate <u>EAS</u> **Charges** SLC <u>E911</u>

\$ 1.82 N/A

8.98 N/A

MULTI-LINE BUSINESS

\$6.50 \$18.32

nonCentrex Centrex
Tariff Period Tariff Period Federal
Projected Lines Projected Lines SLC-MLB

ARCRCTRP-CAF-2

Filing Date (enter w/leading '): Holding Company: Transmittal Number:

9/27/2012

Livingston Telephone Company **REDACTED - FOR PUBLIC INSPECTION**

Eligible Revenue - Current Yr Recovery Maximum Imputed ARC Revenue Tariffed ARC Revenue Expected CAF ICC Support



30.00

12.20

0.50

1.00

Eligible Revenue - Current Yr Recovery Tariffed ARC Revenue + Expected CAF ICC Support

Residential Rate Ceiling: (51.915(b)(12)) Maximum MLB SLC+ARC (51.915(e)(5)(iv)) Max ARC for current year: Res/SLB Max ARC for current year: MLB

Exchange/RG

Totals

RESIDENCE / NP / BRI / SLB (excluding Lifeline) MULTI-LINE BUSINESS RES/NP/BRI Current Year SLB ARC Revenue NonCentrex Centrex MLB MLB Curr. Yr. NonCentrex Centrex

51

1,700

Res/NP/BRI SLB Residential ARC Revenue Tariff Period Tariffed Tariffed Tariff Period Total Rate Maximum Tariffed Tariffed at Tariffed Tariff Period Tariff Period Federal Maximum at Tariffed Projected Lines Projected Lines Ceiling Chgs ARC Rate ARC Rate ARC Rate Rate Projected Lines Projected Lines SLC ARC Rate ARC Rate ARC Rate Rate \$18.32 \$ 0.50 \$ 0.50 \$ 0.50 9.20 \$ 1.00 \$ 1.00 \$

5

23,292

Filing Date (enter w/leading '):

9/27/2012

ARCRCTRP-CAF-3

Holding Company: Transmittal Number: Livingston Telephone Company

REDACTED - FOR PUBLIC INSPECTION

FOOTNOTES: